

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                           |   |                               |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, | ) |                               |
|                           | ) |                               |
| Plaintiff,                | ) |                               |
|                           | ) |                               |
| v.                        | ) | Criminal Action No. 07-26-SLR |
|                           | ) |                               |
| EARL N. WALLACE,          | ) |                               |
|                           | ) |                               |
| Defendant.                | ) |                               |

**MOTION AND ORDER TO DISMISS**

NOW COMES the United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Shawn A. Weede, Assistant United States Attorney for the District of Delaware, and hereby moves this Honorable Court to dismiss Counts I, II and IV of the Superseding Indictment pursuant to the Memorandum of Plea Agreement dated March 5, 2008.

Respectfully submitted,

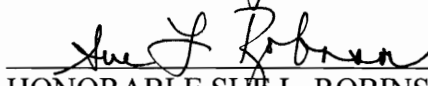
COLM F. CONNOLLY  
United States Attorney

By: \_\_\_\_\_

Shawn A. Weede  
Assistant United States Attorney

Dated: Jun 12, 2008

SO ORDERED this 12th day of June, 2008.

  
\_\_\_\_\_  
HONORABLE SUE L. ROBINSON  
United States District Court Judge